



Commission on Peace Officer Standards and Training

860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630
<https://post.ca.gov/>

Date: August 4, 2023

Bulletin: No. 2023-42

Subject: **Notice of Proposed Regulatory Action** – Amend Commission Regulation 1005 – Minimum Standards for Training – Coroner Training Requirements

At the March 22, 2023, meeting, the Commission on Peace Officer Standards and Training (POST) approved the proposed amendments to Commission Regulation 1005. POST is proposing these changes to ensure the basic training requirement for Coroners is consistent with Penal Code requirements.

Penal Code section 832 does not require training in the carrying and use of firearms if the peace officer's employing agency prohibits their use. The proposed changes modify the minimum training requirement for Coroners to eliminate the need to complete unnecessary training.

The attached notice includes the proposed changes, an invitation for written input on this proposal, the deadline for written comments, and information about requesting a public hearing. The following related information is available on the [POST Website](#).

- POST Bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons

Questions regarding this proposed regulatory action may be directed to [Jennifer Hardesty](#), Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at [\(916\) 227-3917](tel:(916)227-3917). General questions regarding the regulatory process may be directed to [Katelynn Poulos](#) at [\(916\) 227-4894](tel:(916)227-4894).

MANUEL ALVAREZ, JR.
Executive Director

MA:jh
Attachment: Notice of Proposed Regulatory Action

NOTICE OF PROPOSED REGULATORY ACTION
Amend Commission Regulations 1005
Minimum Standards for Training – Coroner Training Requirements

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code (GC) section 11346.8, any interested person, or their duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by September 18, 2023.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 404-5619, by email to [Jennifer Hardesty](#), or by letter to:

Commission on POST
Attention: Jennifer Hardesty
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

Authority and Reference

This proposal is made pursuant to the authority vested by Penal Code (PC) section 13503 (authority of POST), PC §13506 (POST authority to adopt regulations), and PC §13510 (POST authority to adopt and amend rules establishing minimum standards). This proposal is intended to interpret, implement, and make specific PC §13510(a)(2), which authorizes POST to adopt, and may from time to time amend, rules establishing minimum standards for training.

Informative Digest/Policy Statement Overview

PC §832 states, in part:

- Every person described in this chapter as a peace officer shall satisfactorily complete an introductory training course prescribed by POST.
- Training in the carrying and use of firearms shall not be required of a peace officer whose employing agency prohibits the use of firearms.

Commission Regulation 1005(a)(4) currently requires Coroners or Deputy Coroners to complete both the PC §832 Arrest and PC §832 Firearms Courses. The implementation of the proposed changes will ensure Commission Regulation 1005(a)(4) is consistent with the requirements of PC §832 and will only require the PC §832 Firearms Course be completed when the carrying and use of firearms is authorized by the employing agency.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will allow employing agencies to provide the training that is necessary for their coroners or deputy coroners and not require training in the carrying and use of firearms when prohibited by the agency. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the state's environment.

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Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

POST has determined that these proposed amendments are not inconsistent nor incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, POST has concluded that these are the only regulations that concern processes and procedures for peace officer eligibility in the state.

Forms/Documents Incorporated by Reference

There are no forms/documents incorporated by reference in this proposed action.

Disclosures Regarding the Proposed Action

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Costs to any local agency or school district which must be reimbursed in accordance with GC §§17500 through 17630: None.

Other non-discretionary costs or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: None.

Cost impacts on a representative private persons or business: POST is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant, statewide adverse economic impact directly affecting California businesses: POST has determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulations only affect state agencies that are adopting, amending, or repealing regulations. Additionally, the Commission's main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

Results of Economic Impact Analysis/Assessment

POST concludes that it is (1) unlikely the proposal will create nor eliminate jobs in the state of California, (2) unlikely that the proposal will create nor eliminate any businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

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Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders by allowing employing agencies to provide necessary training and not requiring unnecessary training. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state's environment.

Consideration of Alternatives

In accordance with GC §11346.5, subdivision (a)(13), POST must determine that no reasonable alternative it considered, or that has otherwise identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposed action.

Contact Persons

Questions regarding this proposed regulatory action may be directed to [Jennifer Hardesty](#), Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at [\(916\) 227-3917](#). General questions regarding the regulatory process may be directed to [Katelynn Poulos](#) at [\(916\) 227-4894](#).

Text of Proposal

Individuals may request copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the [POST Website](#).

Adoption of Proposed Regulations/Availability of Changed or Modified Text

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

Availability and Location of the Rulemaking File and the Final Statement of Reasons

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the initial statement of reasons.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.